

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

Central Maine Power Co., *et al.*, )  
Petitioners, )  
  )  
v.                                     )       No. 20-1329  
  )  
Federal Energy Regulatory Commission, )  
Respondent.                           )

**STATUS REPORT OF THE FEDERAL ENERGY REGULATORY  
COMMISSION ON ADMINISTRATIVE PROCEEDING**

By order of May 4, 2021, this Court granted the consent motion of respondent Federal Energy Regulatory Commission to hold this appeal in abeyance pending completion of agency proceedings in FERC Docket Nos. EL11-66 and ER15-414 and directed the filing of status reports. In compliance with this Court's order, the Commission herein reports that the agency proceedings remain ongoing.

Commission Docket Nos. EL11-66 and ER15-414 are the Commission proceedings on remand of this Court's decision in *Emera Maine v. FERC*, 854 F.3d 9 (D.C. Cir. 2017), concerning the determination of the base return on equity for transmission owners in the New England Independent System Operator. The order challenged in this appeal, *ISO New England Inc., Order Rejecting Compliance Filing*, 161 FERC ¶ 61,031 (Oct. 6, 2017), issued in both dockets, rejected a compliance filing filed by petitioners concerning the return on equity to

be charged prior to the Commission's final decision on remand of the vacated orders. Petitioners filed a request for rehearing of the Order Rejecting Compliance Filing. In *ISO New England, Inc.*, Order Granting Rehearing For Further Consideration, Docket Nos. ER15-414 and EL11-66 (Dec. 4, 2017), the Commission provided notice that it intends to issue a future order on petitioners' rehearing request. The proceedings on remand from *Emera Maine* in Docket Nos. EL11-66 and ER15-414 also remain ongoing before the Commission.

Accordingly, as the proceedings before the Commission in FERC Docket Nos. EL11-66 and ER15-414 remain ongoing, this appeal should continue to remain in abeyance.

Respectfully submitted,

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Solicitor

/s/ Lona T. Perry  
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April 4, 2023

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D.C. Cir. No. 20-1329***

**CERTIFICATE OF SERVICE**

In accordance with Fed. R. App. P. 25(d), and the Court's Administrative Order Regarding Electronic Case Filing, I hereby certify that I have, this 4th day of April 2023, served the foregoing upon the counsel listed in the Service Preference Report via email through the Court's CM/ECF system.

/s/ Lona Perry  
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